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XM/Sirius - Elizabeth

NATIONAL ASSOCIATION OF BLACK OWNED BROADCASTERS

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June 24, 2008

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VIA FACSIMILE

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, S.W.
Room 8-B201
Washington, D.C. 20554

**Re: MB Docket No. 07-57, Consolidated Application for Authority
to Transfer Control of XM Satellite Radio Holdings Inc. and
Sirius Satellite Radio Inc.**

Dear Chairman Martin:

The National Association of Black Owned Broadcasters has serious concerns with the proposed merger between XM and Sirius. Approval of such a merger would require the Commission to abandon its long standing commitment to competition and diversity, and would embrace a monopoly in the satellite radio market.

When the application to permit the XM-Sirius merger was filed with the Commission, NABOB filed a Petition to Deny the application on July 9, 2007. In our Petition, we explained that the application, which would permit the creation of a monopoly in the radio broadcast satellite business, should be denied, because: (1) it violates the Commission's policy of maintaining at least two competitors in the radio broadcast satellite industry, (2) it will lead to further consolidation in the terrestrial radio industry and a corresponding loss of minority ownership in that industry, and (3) XM and Sirius have repeatedly failed to comply with their prior commitments to the Commission, and, therefore, they cannot reasonably be relied upon to meet any new commitments they make in connection with the pending application.

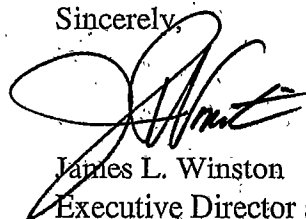
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In addition, the commitment that has been proffered by XM and Sirius, to provide 4% of channels for programming targeted to minorities, amounts to an offer of "crumbs" to serve more than 30% of the U.S. population, and could only lead to a "crabs in the barrel" fight among minorities for a mere handful of channels.

If the Commission allows Sirius and XM to merge, the new entity will control more spectrum than the entire AM and FM band. NABOB continues to oppose this merger for the reasons set forth more fully in our Petition to Deny. However, should the Commission consider a grant of this application, it should obtain a meaningful commitment of channels for programming for minorities.

Sincerely,



James L. Winston
Executive Director and General Counsel

JLW/kn

cc: Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert M. McDowell
Marlene H. Dortch, Secretary